

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

Kevin Turner and Shawn Wooden,  
*on behalf of themselves and  
others similarly situated,*

Plaintiffs,

v.

National Football League and  
NFL Properties LLC,  
successor-in-interest to  
NFL Properties, Inc.,

Defendants.

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

No. 2:18-md-02323-AB

No. 2:12-md-02323-AB

MDL No. 2323

**Hon. Anita B. Brody**

**CLASS COUNSEL PODHURST ORSECK, P.A.'S NOTICE OF INTENT TO ARGUE**

Pursuant to the Court's Order of May 7, 2018 (No. 18-md-02323, ECF No. 33), Class Counsel Podhurst Orseck, P.A. hereby gives notice of its intent to argue at the May 15, 2018 hearing concerning the allocation of attorneys' fees from the Attorneys' Fees Qualified Settlement Fund. Depending on the particular issues raised, Steven C. Marks, Stephen F. Rosenthal, or Matthew P. Weinshall intends to present argument on behalf of Podhurst Orseck.

Podhurst Orseck's objection and the bases for its arguments can be found in the following docket entries:

- ECF No. 8728, Declaration of Steven C. Marks in Response to Co-Lead Counsel's Proposed Allocation of Common Benefit Attorneys' Fees and Expenses
- ECF No. 7151-8, Declaration of Steven C. Marks in Support of Co-Lead Counsel's Petition for an Award of Attorney's Fees and Reimbursement of Costs and Expenses
- ECF No. 8701, Co-Lead Counsel Anapol Weiss's Proposed Alternative Methodology For the Allocation of Common Benefit Attorney's Fees
- ECF No. 8720-2, Kreindler & Kreindler LLP's Opposition to Co-Lead Counsel's Petition for an Award of Common Benefit Attorneys' Fees

In addition, Polsinelli PC has filed a notice (No. 18-md-02323, ECF No. 33) requesting an opportunity to address a motion on behalf of its client, the Estate of Kevin Turner, challenging our firm's right to a private contractual fee for its representation of Mr. Turner, even though that motion was not noticed for hearing and is unrelated to the allocation issue to be considered. In the event the Court entertains Polsinelli's request at this hearing, we respectfully request additional time to respond to Polsinelli's arguments and address our response to its motion (ECF No. 7071).

DATED: May 11, 2018

Respectfully submitted,

**PODHURST ORSECK, P.A.**

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By: /s/ Steven C. Marks

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**CERTIFICATE OF SERVICE**

I hereby certify that on May 11, 2018, I caused the foregoing document to be filed with the United States District Court for the Eastern District of Pennsylvania via the Court's CM/ECF system, which will provide electronic notice to all counsel and parties.

/s/ Steven C. Marks  
Steven C. Marks, Esq.